

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNICARE LIFE & HEALTH  
INSURANCE COMPANY,

Plaintiff, No. 13-12681

v. District Judge Mark A. Goldsmith  
Magistrate Judge R. Steven Whalen

BARRY McCUNE, ET AL.,

Defendants.

/

**ORDER REQUIRING RESPONSE**

This case arises out of a Complaint in Interpleader filed on June 18, 2013, by Plaintiff Unicare Life & Health Insurance Company (“Unicare”). Defendants Barry McCune, Wayne Gordon McCune, Wayne McCune II, Benjamin McCune, and minors A.G.M., I.G.M. and V.M.M. assert competing claims to life insurance proceeds held by Plaintiff Unicare. Unicare has filed what it characterizes as an “unopposed” Motion for Granting of Interpleader, Deposit of Disputed Funds Less Attorneys’ Fees, and Dismissal [Doc. #21].

Defendants Barry McCune, Wayne McCune II, and minors I.G.M. and V.M.M. are represented by counsel. Defendant Benjamin McCune appears *pro se* (without counsel). Defendant Wayne Gordon McCune was personally served with a summons and complaint of July 3, 2013. His daughter, A.G.M., was served on the same date through Wayne Gordon McCune. Neither Wayne Gordon McCune nor A.G.M. has filed an answer to the complaint.

It is unclear whether the present motion is in fact unopposed, particularly with

regard to attorneys' fees. Therefore, any Defendants who oppose any relief requested in Unicare's Motion for Granting Interpleader shall file a response on or before September 24, 2013.

IT IS SO ORDERED.

Dated: September 12, 2013

s/ R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on September 16, 2013, electronically and/or by U.S. Mail.

s/Michael Williams  
Case Manager to the  
Honorable R. Steven Whalen